

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

STEVEN EARL RIDDICK,

Defendant.

*
*
*
*
*
*
*

DOCKET NO. 1:05-cr-1067 KMK

JUDGE KARAS

DEFENDANT STEVEN RIDDICK'S PROPOSED VOIR DIRE QUESTIONS

COMES NOW, the Defendant, Steve Riddick, by and through his attorney of record and hereby files his proposed questions for voir dire. In addition to the sixteen (16) questions listed below, the defendant requests approximately fifteen (15) minutes for the Defendant to conduct additional voir dire with potential jurors subject to the Court's approval and subject to the Court's general practice and procedure. The specific questions that this Defendant requests the Court to ask of potential jurors are as follows:

1. One of the defendants in this case is Steve Riddick. Mr. Riddick was a world class sprinter and is currently a coach of world class sprinters. He was a gold medalist in the 4 x 100 relay in the 1976 Olympics. Do any of you know or have you heard of Steve Riddick? Would that affect your ability to be impartial at the trial of this matter? Would Mr. Riddick's accomplishments and celebrity cause any of you to treat him differently or affect your ability to be impartial?
2. Have any of you ever heard anything on television or radio, or seen anything in the newspapers, regarding Steve Riddick and this case? Would that affect your ability to be impartial at the trial of this matter?
3. The persons expected to testify are: _____

Do any of you or a member of your immediate family know or have any professional or social relationships with any of the expected witnesses?

4. Have any of you or a member of your family ever been employed by or had any significant involvement with the United States Government? Would that past experience affect your ability to be impartial at the trial of this matter?
5. Have you, or has any member of your immediate family, ever been involved as a party or appeared as a witness in any court proceeding (civil or criminal) or in any investigation by a federal or state authority or by an official legislative body or agency? Would that prior experience affect your ability to be impartial at the trial of this matter?
6. Have any of you ever served on a grand jury? Have any of you ever served on a trial jury; criminal or civil; what was the outcome of the case? Would that past experience affect your ability to be impartial at the trial of this matter?
7. Have you, or has any member of your immediate family, ever been employed by or received training from any local, state or federal law enforcement agency? Would that affect your ability to be impartial at the trial of this matter?
8. Do you have any experiences or feelings concerning government or law enforcement agencies generally that would cause you to be prejudiced either in favor of or against the Government in a criminal prosecution?
9. The law is that the testimony of government agents and employees is to be given no lesser or greater weight than the testimony of any other witness. Do you

understand that testimony of government agents is not expert testimony? Would you have any difficulty in accepting this proposition of law?

10. The jury will be instructed that the defendant charged in this case is presumed to be innocent throughout the trial, and that no defendant can be found guilty of any offense until the Government has proved each element of that offense beyond a reasonable doubt. Would you have any difficulty with accepting this proposition of law?
11. Under our laws, each defendant has the right to decide whether he or she will testify. If a defendant elects not to testify, the law is that a jury may not draw an inference of guilt against a defendant because of his or her decision not to testify. Would you have any difficulty with accepting this proposition of law?
12. Three of the defendants in this case, Alexander, Riddick, and Montgomery, live in the Norfolk, Virginia area and may often be referred to as the “Virginia defendants.” Overall, their alleged involvement in the activities charged in this case is different and more limited than the activities alleged against the other group of defendants, who will often be referred to as the “New York defendants.” Each defendant is entitled to a fair trial and a separate consideration of the evidence against him. Do any of you have any beliefs or experiences that will limit or prevent you from distinguishing the evidence and charges against the New York defendants from those alleged against the Virginia defendants? Many of the New York defendants are family members and friends, can you keep their activities and associates separate from that of the Virginia Defendants, unless evidence is introduced otherwise?

13. As I mentioned, Mr. Riddick is a former Olympic gold medalist. Do any of you, or a member of your family, have any connections with the Olympics, or do you have any strong beliefs about the Olympics? Would your experience or your beliefs affect your ability to be impartial in this matter?
14. Has anyone ever bounced a check or used a debit card when your account did not have sufficient funds? If so, were you contacted by the bank? What did you do when you learned of this potential problem? Does anyone have any bias or prejudice against anyone who may have cashed a check without sufficient funds?
15. Do you own a business? Has anyone ever received a check from a client or a customer that did not clear the bank? What did you do once you learned that the check did not clear? Does anyone have any bias or prejudice against anyone who may have deposited a check without sufficient funds?
16. The government must prove that the three Virginia Defendants “knew” that the checks deposited in this case were from illegal activity. Merely depositing a check that was fraudulent is not a crime. Do you understand this proposition of law and can you follow it?

Respectfully Submitted,

DAVIS & HOSS, P.C.

s/
Bryan H. Hoss, TN BPR# 021529
508 E. 5th Street
Chattanooga, Tennessee 37403
423-266-0605
423-266-0687-fax

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

This the 5th day of February, 2007.

s/_____
Bryan H. Hoss